

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EPIC TECH, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 23-118-RGA
)	
VGW LUCKYLAND, INC., and VGW)	
HOLDINGS US, INC.,)	
)	
Defendant.)	

DEFENDANTS' MOTION TO SET ASIDE CLERK'S ENTRY OF DEFAULT

Pursuant to Federal Rule of Civil Procedure 55(c), Defendants VGW Luckyland, Inc., and VGW Holdings US, Inc. (collectively, "VGW Group" or "Defendants"), specially appearing for the purpose of this motion, hereby move to set aside the Rule 55(a) default entered by the Clerk on March 8, 2023 (D.I. 14), and seek leave to file a responsive pleading.

In support of this motion, Defendants file herewith:

1. an opening brief setting forth their argument that Defendants have shown good cause for setting aside the default because Plaintiff will not be prejudiced if the Court grants this motion; Defendants have meritorious defenses to the claims against them; and Defendants are not culpable because they were unaware this lawsuit existed until on or around April 23, 2024, and have acted expeditiously to retain Delaware counsel, appear in this case, and file this motion; and
2. a declaration in support of their motion.

WHEREFORE, Defendants respectfully request that this Court set aside the Rule 55(a) default entered by the Clerk on March 8, 2023 (D.I. 14) and grant Defendants leave to file a responsive pleading within 30 days of granting this motion.

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Dated: May 15, 2024

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LOCAL RULE 7.1.1. CERTIFICATION

Counsel for Defendants certifies that a reasonable effort has been made to reach agreement with the opposing party on the matters set forth in the motion. Plaintiff opposes this motion.

/s/ Andrew E. Russell

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